

Notice of Allowability

Application No.

09/742,879

Examiner

Elias Desta

Applicant(s)

COBBLE ET AL.

Art Unit

2857

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Appeal Brief, filed on August 23, 2004.
2. ☒ The allowed claim(s) is/are 1-8, 11-20, 22, 25-31, 33-43 and 45.
3. ☒ The drawings filed on 18 September 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Detailed Action

Response to Brief

1. Applicant's arguments, see Appellants' Brief, filed on August 23, 2004, with respect to claims 1-8, 11-20, 22, 25-31, 33-43 and 45 have been fully considered and are persuasive. The rejection of claims 1-8, 11-20, 22, 25-31, 33-43 and 45 has been withdrawn. Claims 9, 10, 21, 23, 24, 32 and 44 are cancelled.

Allowance

2. Claims 1-8, 11-20, 22, 25-31, 33-43 and 45 are allowed. The following is an examiner's statement of reasons for allowance:

In reference to claims 1, 17, 22, 40 and 45: *Molloy* (U.S. Patent 5,787,234) teaches receiving a description of an initial problem related to a work machine (or a computer) from a user (see *Molloy*, Fig. 15, and column 13, lines 46-47). The method includes:

- Receiving from a user a description of an initial problem related to the computer (i.e., "problem concepts"; see *Molloy*, Fig. 16, and column 13, lines 54-59);
- Displaying a question to the initial problem (i.e., "problem concepts"; see *Molloy*, Fig. 16);

- Displaying a set of recommended actions (i.e., multiple “ACTION” entries in Molloy, Fig. 16);
- Receiving and displaying an answer from the user to a question (see Molloy, Fig. 17, column 13, lines 60-64);
- Displaying a set of recommended actions and a question that is a subset of the first set of recommended actions (i.e., multiple “ACTION” entries in Molloy, Fig. 18, and column 13, line 65 to column 14, line 9); and
- Displaying a question and action detail window containing detailed information regarding at least one question and selected action in response to user selection of the question and action from recommended actions (i.e., windows at bottom of Molloy, Figs. 3-6, 15, 17, and column 8, line 52 to column 9, line 11).

However, Molloy does not teach displaying two or more questions as a function of the initial problem and identifying inconsistent answers provided by the user to the two or more questions.

The claimed invention includes all the features noted above and further provides a method for receiving an answer from a user to the first set of questions and displaying a second set of recommended actions as a function of the initial problem where the second set of recommended actions is one of a subset of the first set of

recommended actions. The system also includes a case-base diagnostic for a work machine.

Citation of pertinent prior art:

- a. Ware et al. (U.S. PAP 2002/0019747) teaches method and system for health assessment and monitoring. The system relies on test base question and evaluates response accordingly. The analysis is based on consistence and known threshold limit.
- b. Nixon et al. (U.S. Patent 4,841,441) teaches method of creating a computer system. The invention mainly deals with data processing, analysis and design of application software.
- c. Altschuler et al. (U.S. Patent 5,5005,143) teaches interactive statistical system and method for predicting expert decisions. The path the expert would take through the decision making structure is predicted by determining the probability of the expert's response at each mode in the structure to arrive at an output action.

The remaining claims are dependent upon claims 1, 17, 22, 40 and 45 and contain further limitations.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elias Desta whose telephone number is (571)-272-2214. The examiner can normally be reached on M-Thu (8:30-7:00).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S. Hoff can be reached on (571)-272-2216. The fax phone numbers for the organization where this application or proceeding is assigned are (703)-872-9306 for regular communications and After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)-272-1750.

Elias Desta
Examiner
Art Unit 2857

-ed

November 24, 2004


MARC S. HOFF
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800